

GENERAL PROVISIONS

§ 7.60 *Exports.* This part shall not apply to malt beverages exported in bond.

**Part 8—Credit Period To Be Extended to Retailers of Alcoholic Beverages**

Sec.

8.1 Statutory provision.

8.2 Circumstances in which extension prohibited.

8.3 Calculation of period.

**AUTHORITY:** §§ 8.1 to 8.3 Issued under 53 Stat. 375; 26 U. S. C. 3176. Interpret or apply sec. 5, 49 Stat. 981, as amended; 27 U. S. C. 205.

**SOURCE:** §§ 8.1 to 8.3 contained in Regulations No. 8, 3 F. R. 2809.

**NOTE:** The former Federal Alcohol Administrator issued a digest of interpretations of the regulations in this part, May 5, 1939, 4 F. R. 1950.

§ 8.1 *Statutory provision.* Pursuant to clause 6, subsection (b), section 5, Federal Alcohol Administration Act, the credit period usual and customary to the industry is hereby ascertained to be thirty days from date of delivery in the case of all sales of distilled spirits, wine, and malt beverages.

§ 8.2 *Circumstances in which extension prohibited.* The extension of credit to a retailer, by any person engaged in

business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits, wine, or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits, for a period of time in excess of thirty days from date of delivery, is prohibited when the extension of such credit induces any retailer engaged in the sale of distilled spirits, wine, or malt beverages to purchase any such products from such person to the exclusion in whole or in part of distilled spirits, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such inducement is made in the course of interstate or foreign commerce, or if such person engages in the practice of using such means to such an extent as to substantially restrict or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such inducement is to prevent, deter, hinder or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce.

§ 8.3 *Calculation of period.* For the purpose of the regulations in this part, the period of credit shall be calculated as the time elapsing between the date of delivery of the merchandise and the date of full legal discharge of the retailer, through the payment of cash or its equivalent, from all indebtedness arising from the transaction.